

~~(D)~~ (E) "COMMERCIAL GOODS" MEANS, AS THOSE TERMS ARE DEFINED IN THE WHOLESALE TRADE SECTION OF THE 1987 EDITION OF THE FEDERAL OFFICE OF MANAGEMENT AND BUDGET'S STANDARD INDUSTRIAL CLASSIFICATION MANUAL, THE FOLLOWING:

(+) DURABLE GOODS, EXCEPT FOR:

(+) (1) MOTOR VEHICLES AND MOTOR VEHICLE PARTS AND SUPPLIES;

~~(H)~~ (2) FURNITURE;

~~(HH)~~ (3) OFFICE EQUIPMENT, COMPUTERS, COMPUTER PERIPHERAL EQUIPMENT, AND SOFTWARE; AND

~~(IV)~~ (4) PRERECORDED TAPES, CASSETTES, FILM, AND VIDEOS AND BOOKS OR OTHER SIMILAR ITEMS FOR WHICH COPYRIGHT PROTECTION MIGHT BE AVAILABLE;

~~(2)~~ CHEMICALS AND ALLIED SUPPLIES; AND

~~(3)~~ PETROLEUM AND PETROLEUM RELATED PRODUCTS THAT ARE NOT MOTOR FUELS.

(F) "DEFICIENCY" MEANS THE FAILURE OF A DISTRIBUTOR TO COMPLY SUBSTANTIALLY WITH THE FAIR, REASONABLE, AND MATERIAL REQUIREMENTS IMPOSED OR SOUGHT TO BE IMPOSED ON THE DISTRIBUTOR BY THE GRANTOR.

~~(E)~~ (G) (1) "DISTRIBUTOR" MEANS A PERSON:

(I) WHOSE PRIMARY BUSINESS IS THE WHOLESALE DISTRIBUTION OF COMMERCIAL GOODS FOR RESALE;

(II) WHO MAINTAINS AN INVENTORY OF COMMERCIAL GOODS FOR RESALE; ~~AND~~

(III) WHO HAS BEEN GRANTED EITHER EXPRESSLY OR IMPLICITLY THE RIGHT TO SELL OR DISTRIBUTE A GRANTOR'S COMMERCIAL GOODS IN MARYLAND FOR RESALE TO RETAILERS OR OTHER RESELLERS OR TO AN INDUSTRIAL OR COMMERCIAL MANUFACTURER; AND

(IV) WHO CONDUCTS A SUBSTANTIAL BUSINESS IN MARYLAND.

(2) "DISTRIBUTOR" DOES NOT INCLUDE:

(I) A SALES REPRESENTATIVE THAT DOES NOT MAINTAIN AN INVENTORY OF COMMERCIAL GOODS; OR

(II) A DIRECT SELLER WHOSE WORK IS EXEMPT FROM COVERED EMPLOYMENT UNDER § 8-206(B) OF THE LABOR AND EMPLOYMENT ARTICLE.

~~(F)~~ (H) "GRANTOR" MEANS A PERSON, INCLUDING A MANUFACTURER, THAT GRANTS DISTRIBUTION AND SALES RIGHTS TO A DISTRIBUTOR.